

# **Minutes of the Veneta City Council**

## **July 13, 2009**

**Present:** Mayor Sharon Hobart-Hardin, T. J. Brooker, Sandra Larson and Marion Esty

**Absent:** Darrell Carman

**Others:** Ric Ingham, City Administrator; Jerri Moore, Finance Director; Brian Issa, Community Services Director; Sheryl Hackett, City Recorder; Darci Henneman, Assistant City Recorder; Jerry Elliott, City Engineer; Ken Jones, City Attorney; Scott Sanders; Twinkle Morton; and Nate Traylor, West Lane News

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Mayor Sharon Hobart-Hardin called the Veneta City Council to order at 7:00 p.m.

### **1. PUBLIC COMMENT**

#### **Scott Sanders, 278 Susan Street, Eugene, OR**

On behalf of the Fern Ridge Community Library Foundation Mr. Sanders spoke about their fundraising efforts. He said the City Council made a \$2,500 donation in FY 2008/09 and left the request open for possibly another donation in FY 2009/10.

In response to a question from Mayor Hobart-Hardin on how the fundraising efforts are going, Mr. Sanders said it's been difficult. The Library Board of Directors provided the Foundation with a prioritized list of repairs to be completed. The foundation is hopeful to reach their \$330,000 goal. They raised the amount desired from the private sector but the larger foundation donations did not come through.

#### **Twinkle Morton, 25712 Cochran Ct., Veneta, Oregon**

Ms. Morton is a member of the Fern Ridge School District Board of Directors. She was in attendance at tonight's Council meeting to show the school board's support. They recently changed their board meetings to Tuesday nights so members of the community could attend both the City Council and Fern Ridge School District Board meetings.

### **2. CONSENT AGENDA**

**MOTION:** T. J. Brooker made a motion to approve the Consent Agenda as presented. Sandra Larson seconded the motion.

**Vote:** Marion Esty, aye; Mayor Hobart-Hardin, aye; Sandra Larson, aye; and T. J. Brooker, aye.

The consent Agenda as approved included minutes for June 22, 2009 and bills paid and payable for June, 2009.

### **3. DEPARTMENT REPORTS**

#### **a. FROM MAYOR/COUNCILORS**

T. J. Brooker suggested when the donation request letter is received from the Library Foundation, the City Council should make a motion to approve a \$2,500 donation in order to get the next level of repairs completed on the library. He said the original cost estimates are lower so their funds are going further.

Mayor Hobart-Hardin attended a "What's Happening in Lane County" session with Commissioner Bill Fleenor. Discussed was the recent Lane County Budget measure. She said it was a very interesting discussion. She also said the Fern Ridge Chamber of Commerce along with Siuslaw Bank, other local businesses and Lane Community College (LCC) will be hosting a series of nine monthly classes to

assist local businesses. The Chamber received a grant for the program. Chamber members will pay \$50 and non-members will pay \$75 for the entire nine month program. The cost of attending the same classes at LCC would cost \$75 per class. She said this is a great opportunity for our community and asked everyone to let local business owner know of the program.

Marion Esty will be attending the LCOG meetings on a regular basis as a representative for senior citizens.

#### 4. STAFF REPORTS

- a. FINANCE DIRECTOR.....JERRI MOORE  
(1) **Resolution 1005** - A RESOLUTION ADOPTING THE CLASSIFICATION AND COMPENSATION PLANS FOR THE CITY OF VENETA FOR THE 2009-2010 FISCAL YEAR

Jerri said Resolution 1005 is an annual resolution which adopts the classification and compensation plan for the FY 2009/10. It lays out the salary ranges and hourly rates for all employees. Jerri requested the Council approve Resolution 1005.

**MOTION: T. J. Brooker made a motion to approve Resolution 1005. Marion Esty seconded the motion which passed with a vote of 4-0.**

- (2) **Resolution 1007** - A RESOLUTION AMENDING THE EMPLOYEE HANDBOOK, EXHIBIT "A" OF RESOLUTION 953

Jerri said Resolution 1007 amends Exhibit "A" of the Employee Handbook Resolution 953. Several months ago Ric met with staff representatives to discuss wage and benefit adjustments and at that time, employees requested various updates to the handbook. Jerri discussed the update requests with City Attorney, Russell Poppe who recommended the word "immediately" be inserted in item 5. Section XII.E. regarding FMLA/OFLA Leave to read as follows "... as the 12-month period immediately preceding the date an employee begins leave." Jerri requested the Council approve Resolution 1007 as amended.

In response to a question from Marion Esty, Jerri said the wording in Resolution 1007 was amended to add additional clarity to avoid possible confusion.

Mayor Hobart-Hardin thanked Jerri for the additional wording as it clarified the statement.

**MOTION: T. J. Brooker made a motion to approve Resolution 1007 as amended. Marion Esty seconded the motion which passed with a vote of 4-0.**

- b. CITY RECORDER.....SHERYL HACKETT  
(1) **Resolution 1010** - A RESOLUTION ESTABLISHING INSTALLMENT PAYMENTS AND ADMINISTRATIVE FEES FOR VENETA MUNICIPAL COURT FINES

Sheryl said the Veneta Municipal Court Judge allows offenders to enter into a voluntary pay agreement to pay fines imposed by the Court. Staff has found that preparing and monitoring these agreements significantly impacts administrative time in comparison to proceesing a fine that is paid in full at the time it is imposed. Resolution 1010 establishes a one time minimum administrative fees for violators to

pay their fines over a set length of time. This one time administrative fee is not to be considered a collection fee and will only be charged if offenders chose to enter into the Agreement. Sheryl requested the Council approve Resolution 1010.

**MOTION: T. J. Brooker made a motion to approve Resolution 1010. Marion Esty seconded the motion which passed with a vote of 4-0.**

c. COMMUNITY SERVICES DIRECTOR.....BRIAN ISSA

(1) Lane County Coordinated Population Forecast Update

Brian provided the Council with an oral update on the coordinated population forecast. He said at the end of June, 2009, the Lane County Commissioners adopted the plan that included population figures. Veneta was given a 2020 population number of 9,846, which is a higher figure than was requested. Brian said the population figure will need to be included in the Comprehensive Plan as well as the Public Facilities Plan. Brian said adoption of the population figure will be coming to Council as soon as possible.

In response to a question from T. J. Brooker, Brian said the required changes do not need to go to Lane County for approval but it's not a simple process. When the Comprehensive Plan was adopted in 1997, the City did not have a Wastewater Master Plan and the Water Master Plan was just coming on line. The new population figure will need to be folded in to all of those Plans.

T. J. Brooker is concerned that staff will not have the available time to review and update all the Plans and the Council should adopt the new population figure as quickly as possible.

(2) E. Bolton Local Improvement District (LID)

In November, 2006 the City Council directed staff to proceed with the formation of a Local Improvement District (LID) to install sewer collection lines on E. Bolton Road. A public hearing was held on December 11, 2006. At the conclusion of the Public Hearing the Council made a motion to postpone deliberation until January 2007 so staff could provide property owners more LID information prior to the January 2007 meeting.

On January 22, 2007 the Council continued discussions on the E. Bolton LID and directed the City Engineer to provide an engineering cost bid for the project. On February 12, 2007 the Council reviewed the engineering cost bid for the E. Bolton LID. At the conclusion of the meeting the Council motioned to postpone the project and directed staff to review the assessment process to determine if it could be made more fair and equitable.

A subcommittee was formed which included Legal Counsel, Carrie Connelly. On November 13, 2007 the Council adopted Ordinance 475 which repealed and replaced the City's Public Improvements and Special Assessments Ordinance which included a section entitled "Method of Assessment", which includes a revised definition of "benefitted property" as well as a set of guidelines to follow for establishing how the costs should be apportioned among benefitted properties in a more fair and equitable manner.

Prior to initiating the E. Bolton LID the City was notified by Lane County that the County would be initiating street and sidewalk improvements on Bolton Hill Road adjacent to properties that were on private septic systems. After hearing this

information, the Council chose to temporarily abandon initiating the E. Bolton sewer LID and begin the LID process for Bolton Hill Road. Had the Bolton Hill Road sewer LID, been postponed the property owners on Bolton Hill would have been faced with significantly higher costs to install the sewer lines at a future date. The E. Bolton sewer LID project was carried over and is currently on the 2009/2010 Work Plan.

Staff is requesting the Council make a motion directing the City Engineer to conduct a survey and file an updated engineering report for the installation of sewer collection lines on E. Bolton Road.

Mayor Hobart-Hardin felt information on the E. Bolton LID should be provided to affected property owners prior to the public hearing for the LID.

**MOTION: T. J. Brooker made a motion to direct City Engineer, Jerry Elliott to proceed with an engineering report for the East Bolton LID. Sandra Larson seconded the motion which passed with a vote of 4-0.**

(3) Tree Code LUBA Update

Brian said the LUBA appeal filed by McDougal Brothers Investment and Frontier Resources was denied. He said the City prevailed on all counts and it was unusual that there was no remand on the issue. He said all sections of the Tree Code were firmly upheld. The final Opinion and Order was affirmed on July 8, 2009. He said the petitioners have 21 days from July 8, 2009 to appeal LUBA's decision in the Oregon Court of Appeals.

(4) Oregon Dept. of Transportation (ODOT) Commercial Corridor Grant

Brian said the City applied for a grant offered through ODOT for a corridor study for the stretch of Highway 126 from the City limits (just east of Huston Road) to Territorial Road. The City's application for grant funds was not accepted. Access to the Cornerstone properties and other commercial properties along Highway 126 is a concern to staff who hoped the grant funds could be used to design an access road to parallel the highway. Staff felt it is a viable project and would like to amend the application to see if it can be submitted for future grant funds.

d. CITY ADMINISTRATOR.....RIC INGHAM

(1) 2009/2010 Work Plan Projects as of July 1, 2009

Ric provided the Council with a draft of the 2009/2010 Work Plan. He said many ambitious projects were completed in 2005 and 2006. He is optimistic for the upcoming work plan year. Staff will revise the Work Plan one more time and may pull smaller items off in order to concentrate on key issues. Staff is requesting the Council review the draft in order to approve the Final 2009/2010 Work Plan at a future Council meeting.

Mayor Sharon Hobart-Hardin was pleased to see the SDC update was included on the 2009/2010 Work Plan. She said the issue of SDCs was brought up at the "What's Happening in Lane County" session with Commissioner Bill Fleenor. She felt the City should work on educating people on what SDCs are. The general public has some confusion as to why SDCs are charged and what they cover. This information should be provided to residents.

Brian said the Sewer Rate Analysis and Water/Sewer SDC RFP was released on July 10, 2009 and will close July 29, 2009. The contract should be awarded soon after that.

Ric said there were some projects that Kyle should have included in the Work Plan. The Territorial trunk line was one of those projects and will be included on the revised Work Plan.

Mayor Hobart-Hardin commented on how extensive the Work Plan is and how staff prioritizes the projects and gets them done.

(2) City Engineer Contract

Ric said a review of the City Engineer's contract is tied to the Work Plan and a request was made at the Council Retreat session to evaluate the cities contracts. Jerry Elliott drafted the majority of the contract and provided a solid agreement that will extend Webber Elliott's contract through 2012. This contract has shifted a little from the previous contracts where the City requested Jerry to take on small, medium and large projects as well as oversee projects that are put out for bid to other contractors. Now we have asked him to take on an in-house engineering position by assisting staff to get things off the ground and then to secure other engineers for larger projects through an RFP process. This is a little different from the previous relationship the City had with Jerry Elliott and Webber Elliott but the nature of the projects in the next 3 to 5 years will allow the City to be more focused by having Jerry as a second set of eyes to review work submitted by other engineers and subcontractors.

**MOTION: T. J. Brooker made a motion to approve Mayor Hobart-Hardin to sign the contract with the City Engineer, Jerry Elliott. Marion Esty seconded the motion which passed with a vote of 4-0.**

(3) Oregon Dept. of Transportation (ODOT) Fund Exchange Agreement for West Broadway Redevelopment

Ric said this is the first of many agreements the City will need to sign in order to receive American Recovery and Reinvestment Act (ARRA) stimulus funds. He said the City was awarded \$100,000, however, we've been given the opportunity to do a federal exchange with ODOT to reduce the amount to \$94,000 allowing the funds to be used without federal requirements.

**MOTION: T. J. Brooker made a motion to approve Mayor Hobart-Hardin sign the Funding Exchange Agreement with Oregon Dept. of Transportation (ODOT). Sandra Larson seconded the motion which passed with a vote of 4-0.**

In response to a question from Marion Esty, Jerry Elliott said the exchange agreement is not a standard practice. It is tied to the American Recovery Act and the Economic Stimulus Act.

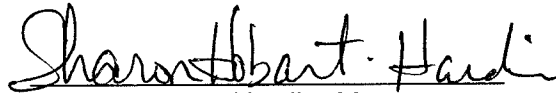
Ric said it's unusual for ODOT to set up the exchange. Governor Kulongoski's office realized if they are truly stimulus funds small cities would not be able to follow the federal regulations and their projects would take years to complete if at all. Sixty percent of the design phase has been completed and the project should be out for bid in November with construction activities forecasted to begin March, 2010.

5. **OTHER**


Staff had nothing further to add.

6. **ADJOURN**

Mayor Hobart Hardin adjourned the City Council at 7:35 p.m.

  
Sharon Hobart-Hardin, Mayor

ATTEST:

  
Darci Henneman, Assistant City Recorder  
(minutes prepared by Dhenneman)